



**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**Monthly Enforcement Report**  
**for actions during July 2006**  
**DISTRIBUTED: August 8, 2006**

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*This report has been prepared to satisfy a statutory obligation DEP has to inform the public of certain enforcement resolutions. This report does not include summaries of the hundreds of compliance related activities occurring every month because it is impractical to capture a sampling of those activities that would be representative of that work. Please contact Peter Carney at (207) 287-4305 or [Peter.J.Carney@Maine.gov](mailto:Peter.J.Carney@Maine.gov) for additional information regarding the activities listed in this report.*

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The following cases were resolved with violators to: achieve compliance with the law; remediate environmental damage; restore natural resources to appropriate conditions; impose penalties that capture any economic benefit gained by the violator; and deter similar actions in the future.

**Administrative Consent Agreements Approved by the Board of Environmental Protection and Department of the Attorney General (violation followed by location of the violation):**

**Rumford Paper Company, Rumford, Maine.** Rumford Paper Company ("Rumford") violated provisions of Maine's *Water Pollution Control* laws and provisions of its waste discharge license issued pursuant to the *Water Pollution Control* laws, and provisions of its air emissions license issued pursuant to Maine's *Protection and Improvement of Air* laws. Rumford discharged waste water with BOD and pH outside the parameters of its waste discharge license, discharged approximately 15,000 gallons of latex to the mill's wastewater treatment system, some of which passed through the system and visibly colored and increased the turbidity of the Androscoggin River, and discharged approximately 8,700 gallons of titanium dioxide to the mill's wastewater treatment system most of which passed through the system visibly coloring and increasing the turbidity of the Androscoggin River. In addition, air emissions from the mill exceeded the opacity, sulfur dioxide, and total reduced sulfur limitations in the mill's air emissions license, and Rumford failed to conduct a required annual inspection. To resolve the violations, Rumford agreed to review its systems, alarms, and spill detection and response procedures to minimize or eliminate the possibility of future spills, and paid \$43,725.00 as a civil monetary penalty. Of the \$43,725.00 penalty, \$34,980.00 was paid to the River Valley Healthy Communities Coalition in Rumford for a Supplemental Environmental Project ("SEP"). The SEP funds will be used to conduct education concerning the appropriate disposal of household hazardous wastes and the collection and disposal of household hazardous wastes.

**Huber Engineered Woods, LLC, Easton, Maine.** Huber Engineered Woods, LLC ("Huber") violated the provisions of its air emissions license issued pursuant to Maine's *Protection and Improvement of Air* laws by exceeding limits for the emission of particulate matter. To resolve the violations, Huber repaired a broken piece of equipment to bring the facility into compliance and paid \$3,292.00 as a civil monetary penalty.

**Town of Castine, Castine, Maine.** The Town of Castine ("Castine") violated provisions of its waste discharge license issued pursuant to Maine's *Water Pollution Control* laws. Wastewater discharged from the Town's wastewater treatment facility exceeded license limits for biochemical oxygen demand, total suspended solids, monthly average flow, fecal coliform, total residual chlorine, settleable solids, suspended solids, suspended solids percent removal, and pH. To resolve the violations, Castine agreed to submit a plan for the design and construction of upgrades to the facility, and paid \$3,197.00 as a civil monetary penalty.

**Jay Y. McCrum, Darrell E. McCrum, David B. McCrum, Wade S. McCrum, and Robert W. Lunney d/b/a J&D McCrum, Mars Hill, Maine.** Jay Y. McCrum, Darrell E. McCrum, David B. McCrum, Wade S. McCrum, and Robert W. Lunney d/b/a J&D McCrum ("McCrums") violated Maine's *Water Pollution Control* laws by discharging potato wash water to the ground which subsequently discharged to Prestile Stream, a Class B water of the State. McCrums does not have a license to discharge wastewater. Following Department involvement with the facility McCrums applied to the Department for a wastewater discharge license. To resolve the violations, McCrums



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agreed to cease the unlicensed discharge of wastewater, restore the discharge site, and paid \$7,217.00 as a civil monetary penalty. Of the \$7,217.00 penalty, \$5,774.00 was paid to School Administrative School District 42 for a Supplemental Environmental Project ("SEP"). The SEP funds will be used to retrofit several school buses with special emission control equipment to reduce or eliminate particulate emissions and toxic crankcase emissions.

**John Cushing d/b/a Cushing Construction, Readfield, Maine.** John Cushing d/b/a Cushing Construction ("Cushing") violated provisions of Maine's *Performance Standards for Excavations* by allowing water from an excavation relating to sand and gravel mining activities, and associated sediment, to flow into an adjacent stream and Maranacook Lake. To resolve the violations, Cushing submitted a restoration plan to completely restore the area of the pit that drains externally, and paid \$3,076.00 as a civil monetary penalty.

**B&B Enterprises, Inc., Milbridge, Maine.** B&B Enterprises, Inc. ("B&B") violated provisions of Maine's *Underground Oil Storage Facilities and Ground Water Protection* law and Department rules promulgated pursuant to that law. B&B failed to submit required annual Statistical Inventory Analysis ("SIA") results to the Department for 2003, 2004, and 2005. To resolve the violations B&B, submitted passing 2005 and 2006 SIA results to the Department, agreed to timely submit its SIA results for 2007, and paid \$2,500.00 as a civil monetary penalty.

**District Court Enforcement Resolutions (case caption followed by location of violation):**

**State of Maine, Department of Environmental Protection v. Frontier Forge, Inc. d/b/a Kingfield Wood Products, Kingfield, Maine.** Frontier Forge, Inc. d/b/a Kingfield Wood Products ("Frontier") paid to the Department a civil monetary penalty in the amount of \$7,900.00 pursuant to a judgment obtained in the Maine District Court for the District of Farmington in May 2005 and subsequent order following a Motion for Contempt. The penalty related to violations of Maine's *Protection and Improvement of Air* laws. The Department filed a new action against Frontier in July 2006 for violations of Maine's *Protection and Improvement of Air* laws, *Hazardous Waste, Septage, and Solid Waste Management Act*, and Department rules promulgated under those laws. With respect to air emissions violations, Frontier failed to timely submit an application for transfer of the facility's air license when Frontier acquired the facility in 2003, and failed to timely submit its 2004 annual air emissions inventory and greenhouse gas emissions reports. With respect to hazardous and universal waste violations, Frontier allowed the evaporation of hazardous wastes, discharged hazardous waste to the ground, failed to report and remove discharges of hazardous waste, failed to determine if wastes generated were hazardous, accumulated hazardous waste for more than 90 days without a license, failed to label containers of hazardous waste with accumulation start dates, failed to keep hazardous waste containers closed, failed to locate its hazardous waste storage facility more than 50' from the facility's property line on two sides, failed to store hazardous waste on a firm working surface, failed to maintain an adequate hazardous waste containment and collection system, failed to conduct daily inspection of hazardous waste containers, failed to store containers of hazardous waste to allow access for inspection and remedial action, failed to minimize the possibility for unauthorized persons to enter the hazardous waste storage area, failed to provide communications or an alarm system at the hazardous waste storage area, failed to provide and document a training program for hazardous waste management for employees performing hazardous waste duties, failed to develop and maintain a contingency plan for hazardous waste management and make arrangements with local emergency response services, failed to submit annual hazardous waste generator reports for 2003 and 2004, failed to retain hazardous waste manifests for at least three years, failed to retain notices of land disposal



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restriction for manifested hazardous waste for at least three years, and failed to mark or label containers of universal waste lamps, in violation of the Act and rules. To resolve the violations, Frontier submitted an application for the transfer of the facility's air emissions license, submitted its 2004 air emissions inventory and greenhouse gas emissions report, and agreed to submit a sampling plan to determine the nature and extent of contamination where releases of hazardous waste were identified, remediate any contaminated soils identified through the sampling pursuant to a plan approved by the Department, and pay a civil monetary in the amount of \$12,000.00.